

AMENDED IN ASSEMBLY MAY 19, 2010

AMENDED IN SENATE APRIL 13, 2009

**SENATE BILL**

**No. 624**

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**Introduced by Senator Romero**

February 27, 2009

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*An act to amend Sections 40116 and 40201 of, and to add Section 40103 to, the Public Resources Code, relating to solid waste. An act to amend Section 425.2 of the Government Code, relating to the state rock.*

LEGISLATIVE COUNSEL'S DIGEST

SB 624, as amended, Romero. ~~Solid waste: anaerobic digestion. State rock.~~

*Existing law establishes various animals, vegetables, and minerals as emblematic of the state and provide that serpentine is the official state rock and lithologic emblem.*

*This bill would remove serpentine as the state rock and lithologic emblem and would leave the state rock unspecified. The bill would also make a statement of findings about serpentine and its association with an increased risk of the cancer mesothelioma.*

~~The California Integrated Waste Management Act of 1989 establishes an integrated waste management program administered by the California Integrated Waste Management Board that requires each city, county, and regional agency, if any, to develop a source reduction and recycling element of an integrated waste management plan, which is required to divert 50% of the solid waste subject to the element from landfill disposal or transformation, through source reduction, recycling, and composting activities. The act allows the source reduction and recycling element to include not more than 10% diversion through transformation, as defined. The act defines the term "compost" for the purposes of the~~

act as the product resulting from the controlled biological decomposition of organic wastes that are source separated from the municipal solid waste stream, or which are separated at a centralized facility. The act defines the term “transformation” as meaning incineration, pyrolysis, distillation, or biological conversion, and excludes composting, gasification, or biomass conversion from that definition.

This bill would define the term “anaerobic digestion” for purposes of the act. The bill would additionally define the term “composting operation” or “composting facility” as an operation or facility that produces compost, including, but not limited to, an entity that produces compost either aerobically or nonaerobically and an operation or facility that utilizes anaerobic digestion. The bill would revise the definition of the term “transformation” to exclude anaerobic digestion.

Vote: majority. Appropriation: no. Fiscal committee: ~~yes~~-no. State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1     SECTION 1. The Legislature finds and declares the following:
- 2     (a) Serpentine was designated the official State Rock in 1965
- 3     and is found in 49 counties in California.
- 4     (b) Serpentine contains the deadly mineral chrysotile asbestos,
- 5     a known carcinogen, exposure to which increases the risk of the
- 6     cancer mesothelioma.
- 7     (c) California has the highest rate of mesothelioma deaths in
- 8     the nation.
- 9     (d) California should not designate a rock known to be toxic to
- 10    the health of its residents as the state’s official rock.
- 11    (e) It is the intent of the Legislature to remove serpentine as the
- 12    State Rock and provide for a suitable replacement.
- 13    SEC. 2. Section 425.2 of the Government Code is amended to
- 14    read:
- 15    425.2. Serpentine \_\_\_\_ is the official State Rock and lithologic
- 16    emblem.
- 17    SECTION 1. Section 40103 is added to the Public Resources
- 18    Code, to read:
- 19    40103. “Anaerobic digestion” means a process using the
- 20    bacterial breakdown of compostable organic material that meets
- 21    all of the following conditions:

1     ~~(a) The process involves the natural biodegradation of organic~~  
2 ~~materials in the absence of oxygen.~~

3     ~~(b) The temperature during the process does not exceed 140~~  
4 ~~degrees Fahrenheit in an engineered and controlled environment.~~

5     ~~SEC. 2. Section 40116 of the Public Resources Code is~~  
6 ~~amended to read:~~

7     ~~40116. (a) “Compost” means the product resulting from the~~  
8 ~~controlled biological decomposition of organic wastes that are~~  
9 ~~source separated from the municipal solid waste stream, or that~~  
10 ~~are separated at a centralized facility. “Compost” includes~~  
11 ~~vegetable, yard, and wood wastes that are not hazardous waste.~~

12     ~~(b) “Composting operation” or “composting facility” means an~~  
13 ~~operation or facility that produces compost, including, but not~~  
14 ~~limited to, an entity that produces compost either aerobically or~~  
15 ~~nonaerobically and an operation or facility that utilizes anaerobic~~  
16 ~~digestion.~~

17     ~~SEC. 3. Section 40201 of the Public Resources Code is~~  
18 ~~amended to read:~~

19     ~~40201. “Transformation” means incineration, pyrolysis,~~  
20 ~~distillation, or biological conversion other than composting.~~  
21 ~~“Transformation” does not include composting, anaerobic~~  
22 ~~digestion, gasification, or biomass conversion.~~